

**REMARKS**

The application is subject to an election of species requirement.

Claims 1-13 are pending. Claims 1 and 6-8 are generic

The Examiner alleges that the claims are directed towards the following distinct species:

- I. Fig. 1;
- II. Fig. 5;
- III. Fig. 9;
- IV. Fig. 10;
- V. Fig. 14;
- VI. Fig. 16;
- VII. Fig. 19;
- VIII. Fig. 21;
- IX. Fig. 22;
- X. Fig. 23;
- XI. Fig. 27;
- XII. Fig. 31 and
- XIII. Fig. 33

Applicant provisionally elects Species VI, i.e., Fig. 16, with traverse. In particular, Applicant provisionally elects Species VI, i.e., Fig. 16, with traverse to Species II, i.e., Fig. 5. The embodiment of the invention as depicted in Fig. 5 is directed towards a planar stent disposed between two planar graft layers. Such an embodiment may suitably be used with the various embodiments of the present invention, including Species VI, i.e., Fig. 16.

Applicant respectfully submits that claims 1, 3, 6-8, 10, 12 and 13 are directed to Species VI, as defined by the Examiner. Further, if the Examiner grants the election of Species VI, i.e., Fig. 16, with traverse to Species II, i.e., Fig. 5, Applicant respectfully submits that claims 1, 3-5, 6-8, 10, 12 and 13 read thereon.

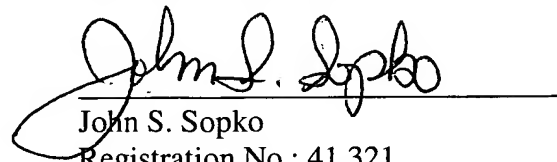
Application No.: 10/630,562  
Election/Restriction Requirement dated April 28, 2006  
Response to Election Requirement dated May 22, 2006  
Docket No.: 760-12 DIV/CON  
Page 3

Furthermore, Applicant respectfully submits that any of the claims 1-13 that are directed to a non-elected species depend from generic claims of Species VI. Upon indication of allowance of the generic claims of Species VI, Applicant respectfully requests allowance of the claims directed towards the non-elected species.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R. § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Please direct any questions or telephone calls regarding this petition to the undersigned counsel at the telephone number listed below.

Respectfully submitted,

  
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